

### **REMARKS**

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of January 29, 2004.

All of the Examiner's objections and rejections are traversed.

Reexamination and reconsideration are requested.

#### **The Office Action**

Claims 6-8, 12, and 17-18 remain in this application. Claims 1-5, 9-11 and 13-16 have been canceled.

#### **The Claims Distinguish Patentably over the References of Record**

Tavernier discloses an apparatus for printing security measures on documents.

Muir discloses a method for hiding digital artifacts, that is, Muir aims to lessen the appearance of visual oddities to the human eye. Muir accomplishes this by adding printed material to documents that are arranged in such a way that the human eye will naturally pass over them.

**Claim 6** calls for producing recognizable images through a local frequency shift of printed halftone dots. Tavernier fails to teach local frequency shifting. As the Examiner points out, Muir discloses shifting beat patterns from a low frequency to a higher frequency. It is, however, unreasonable to expect that a person skilled in the art at the time of invention would look to Muir to modify Tavernier. Tavernier discloses a method of making a security device appear on a printed page. Looking to Muir would provide the reasonable practitioner with a way to suppress the security device from being seen, which is antithetical to the idea of a security device (as applied in Tavernier) or a watermark, as applied in the present application. One skilled in the art would not look to prior art that obfuscates images when their goal is to make images appear. It is therefore respectfully submitted that **claim 6** and **claims 7 and 8** dependent therefrom distinguish patentably and unobviously over the references of record.

Similarly, **claim 12** calls for the watermark to be produced through a local frequency shift of halftone dots. As in claim 6, Tavernier fails to teach frequency shifting and it would be unreasonable to expect one skilled in the art to combine Muir with Tavernier to arrive at the desired result. It is therefore respectfully

submitted that **claim 12** defines patentably and unobviously over the references of record.

Similarly, **claim 17** calls for producing a recognizable marking through a local frequency shift of printed halftone dots. As in claim 6, Tavernier fails to teach frequency shifting and it would be unreasonable to expect one skilled in the art to combine Muir with Tavernier to arrive at the desired result. It is therefore respectfully submitted that **claim 17**, and **claim 18** dependent therefrom, define patentably and unobviously over the references of record.

### CONCLUSION

For the reasons detailed above, it is submitted all claims remaining in the application (Claims 6-8, 12, and 17-18) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Patrick R. Roche, at Telephone Number (216) 861-5582.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP

Date

June 1, 2004

Patrick R. Roche

Reg. No. 29,580

1100 Superior Avenue, 7<sup>th</sup> Floor  
Cleveland, Ohio 44114-2579  
(216) 861-5582